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February 28, 2025

Via ECF

Hon. Miroslav Lovric
United States Magistrate Judge
United States Courthouse
15 Henry Street
Binghamton NY 13901

Re: *Doe v. Rees*; Case 3:23-cv-01352-TJM-ML

Dear Judge Lovric:

I represent Plaintiff, Jane Doe, in **this action, 3:23-cv-01352**. I am writing to correct the record in connection with a recent order issued by Your Honor in a separate action, which appears to involve a misunderstanding regarding the identity of various parties.

On February 27, 2025, Your Honor issued an order to show cause in **a different action**—the case of *Jane Doe and John Doe, II, v. Jonathan Rees*, Case No. **24-cv-00274-MAD-ML** (ECF No. 53 at 7), requiring the plaintiff in that action to demonstrate why that action should not be dismissed pursuant to the prior pending action doctrine.

I wish to clarify that the plaintiff in that action is not the same individual as my client in this action. The two actions are entirely separate and distinct. The confusion appears to stem from a coincidental similarity in allegations, and from the fact that Jonathan Rees is the defendant in both actions. I bring this to the Court's attention in order to enable the accurate adjudication of this action, and for that matter, both actions.

Respectfully submitted,

/s/ Kenneth A. Caruso
Kenneth A. Caruso

cc: Defendant, Jonathan Rees (via ECF)